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Letter dated 23 June 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention, as well as that of the membership of the General Assembly and the Security Council, to recent actions of the illegal regime in the Turkish-occupied areas of Cyprus in violation of the Third Vienna Agreement of 2 August 1975 and the relevant provisions of the Security Council resolutions concerning the basic freedoms and living conditions of the enclaved persons in the occupied part of Cyprus.

The illegal regime did not permit 10 out of 33 students of the enclaved, between the ages of 16 and 21, attending school in the Government-controlled area of Cyprus, to return to Rizokarpaso and Ayia Triada to spend the summer holidays with their families. Furthermore, without any explanation, it prohibited the teacher, Mrs. Eleni Foka, from returning to her village, Ayia Triada.

The Cyprus Commissioner for Humanitarian Affairs was informed through the United Nations Peacekeeping Force in Cyprus (UNFICYP) that the reason the 10 students were prohibited from returning was that the boys had reached the age of 16 and the girls, 18.

This policy of the Turkish side runs counter to the Third Vienna Agreement, as well as to the recommendations of UNFICYP contained in your report (S/1995/1020), dated 10 December 1995, which stipulate that: "All Karpas Greek Cypriot students attending secondary schools or third-level institutions in the south should be allowed to return to their homes on weekends and holidays".

The Security Council, in its resolution 1032 (1995) of 19 December 1995, supported and confirmed UNFICYP's recommendations and decided to keep the matter under review.

The intolerable humanitarian situation in the occupied area is also referred to in your report to the United Nations Commission on Human Rights (E/CN.4/1997/48) dated 7 February 1997 and your reports to the Security Council dated 7 June (S/1996/411) and 10 December 1996 (S/1996/1016) and 5 June 1997 (S/1997/437), which indicate the violations by the Turkish side of the Third Vienna Agreement.

In its resolution 1062 (1996) of 28 June 1996, the Security Council called upon the Turkish side to respect fully the basic freedoms of the enclaved persons in the occupied area.

The Security Council in its latest resolution, resolution 1092 (1996) of 23 December 1996, welcomed the efforts by UNFICYP to implement its humanitarian mandate in the occupied area, and regretted that there was no further progress on the implementation of the recommendations arising out of UNFICYP's humanitarian review in 1995.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest the above-mentioned violations of the Third Vienna Agreement as well as of the provisions of the relevant United Nations resolutions and universally accepted principles contained in the human rights Conventions.

I would therefore also call upon you to take the necessary measures to ensure that the basic freedoms and the human rights of the enclaved persons in the occupied area are fully respected and exercised, and also to take those appropriate steps towards the Turkish side which would allow the 10 students and Mrs. Foka to return to their homes and villages.

I should be grateful if you would circulate the text of the present letter as an official document of the General Assembly under agenda items 58 and 110, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative
of the Republic of Cyprus